

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Allowance. The examiner stated she was prepared to issue a notice of allowance on October 4, 2006. By October 9, 2006 no notice of allowance was posted on PAIR. The undersigned called the examiner and Ms. Grunberg for the status. Ms. Grunberg returned the call and reported that the claims 14-18 were not allowable and a new rejection was forthcoming. In view of the timing that the case would technically lapse as of October 11, 2006, Ms Grunberg suggested that a notice of appeal be filed to extend the time for the PTO to take action in setting forth a new office action.

According this Notice of Appeal is filed to prevent the application from lapsing and to give the PTO time to vacate the final office action of April 11, 2006 and issue a new office action.

This paper is filed one month after the response deadline of September 10, 2006 of the preceeding action in the application. A one month extension of time is requested in a separate paper. The Commissioner is authorized to deduct the Notice of Appeal fee of \$500 from Deposit Account No. 08-3038/11898.0021.NPUS01. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from the same Deposit Account.

Respectfully submitted,



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